

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
WASHINGTON BOROUGH COUNCIL MINUTES – October 2, 2012**

The Regular Meeting of the Borough Council of Washington, Warren County, New Jersey was held in the Council Chambers of Borough Hall at 7:00 P.M.

Roll Call: Gleba, McDonald, Higgins, Boyle, Jewell, Torres
Valentine

Also Present: Kristine Blanchard, Manager/Borough Clerk
Judy Kopen, Attorney

Mayor McDonald led everyone in the flag salute.

Mayor McDonald read the following Statement into the Record:

“The requirements of the ‘Open Public Meetings Law, 1975, Chapter 231’ have been satisfied in that adequate notice of this meeting has been published in the Star Gazette and posted on the Bulletin Board of Borough Hall stating the time, place and purpose of the meeting as required by law.”

MINUTES:

Regular Meeting Minutes – September 4, 2012

Motion made by Higgins, seconded by Jewell to approve the minutes of September 4, 2012.

Mayor McDonald noted the only change is: “Council requested the Borough Manager obtain a copy of Washington Township’s Jake Breaking Ordinance”

Ayes 7, Nays: 0
Motion Carried

CORRESPONDENCE:

Steve Gruenberg: Washington Square/Jade Acquisition
Washington Community Solar: Power Purchase Agreement

Motion made by Gleba, seconded by Torres to receive and file the correspondence.

Ayes: 7, Nays: 0
Motion Carried

Council Discussion:

Mayor McDonald proposed that Council grant Washington Community Solar their extension. Councilman Higgins noted that in their letter it says they agree to pave the 800 foot access subject to “reasonable review”. Attorney Kopen stated that she discussed that issue with Mr. Andrew Holt. Attorney Kopen suggested that Council pass the motion stating that it is completed to the satisfaction of the Municipal Engineer. Councilman Torres questioned the timeline of the work. Manager Blanchard stated that the work would be completed in early spring pending weather.

Motion made by Higgins to grant Community Solar their extension and that the work is to be completed to the satisfaction of the Municipal Engineer, seconded by Jewell and approved.

Ayes: 6, Nays: 0
Abstain: (1) Gleba
Motion Carried

Mayor McDonald asked at this time if there were any motions to be made on the letter from the Planning Board regarding the Washington Square/Jade Acquisition. There was no discussion.

AUDIENCE:

Hearing no comments from the audience a motion was made by Higgins, seconded by Gleba, to close the audience portion of the meeting.

Ayes: 7, Nays: 0
Motion Carried

REPORTS:

Motion was made by Higgins, seconded by Jewell to receive and file the following reports:

1. Borough Managers Report
2. Tax Collectors Report - August

Ayes: 7, Nays: 0
Motion Carried

Council Discussion:

Councilman Higgins noted that the Tax Collector’s Report is from August. Manager Blanchard stated that it will be up to date at the next meeting.

COUNCIL COMMITTEE REPORTS

Shared Service Committee

Councilman Higgins stated that the Shared Service Committee met Tuesday with Washington Township. Initially Council asked for quarterly reports, however, the Washington Township CFO said that was impossible so the Shared Service Committee suggested semi annual reports. Washington Township will amend the language in the agreement to put requirements in place that Township will provide Council with actual expenditures semi annually and at year end. Mayor McDonald suggested we include a July 15th deadline for the mid year report.

Motion made by Higgins, seconded by Gleba to have the Borough Manager contact the Washington Township Administrator to amend the language in the Shared Service contract to provide semi annual reporting.

Ayes: 7, Nays: 0
Motion Carried

NEW BUSINESS:

Discussion - Best Practice Checklist

Borough Manager Blanchard stated that we have to go through the checklist which asks questions about how we run the Borough office. The Borough is still at 100% aid from the state, so we have lost no aid. We have done a great job.

Councilwoman Gleba asked about the questions that we answered “NO” to. First one being the workman’s comp issue. We do not limit to 7%, if a worker goes out on workman’s comp the Borough pays them and then the Borough is reimbursed by the third party workman’s comp agency.

Borough Manager Blanchard stated that if an employee takes a municipal vehicle home, it has to be noted on their paycheck for IRS reasons. Manager Blanchard also stated that she has requested the vehicle use policies that other municipalities have in place and will present that to council in the near future. Changing the Pay to Play Ordinances and the possibility of having Council attend a mandatory training session was also discussed. No decision was made.

The Borough Manager just needs to sign the paperwork from the State of NJ saying that this discussion of the Best Practices Checklist took place in a public meeting.

Raffle Application Approval – St. Joseph’s Church (2)

Motion made by Higgins, seconded by Torres and approved.

Ayes: 6, Nays: 0

Abstain: (1) Boyle

Motion Carried

Resolution 140-2012 Escrow Release – Pristine Properties

Manager Blanchard Stated that Pristine Properties is an old escrow account from about ten years ago that we are trying to clean up.

RESOLUTION #140-2012

**A RESOLUTION AUTHORIZING THE RELEASE OF REMAINING
BALANCE OF THE CASH PERFORMANCE BOND FOR
PRISTINE PROPERTIES HELD IN TRUST BY THE BOROUGH OF
WASHINGTON**

WHEREAS, Pristine Properties, Inc. has requested the remaining balance of their cash performance bond to be released from escrow account #7200020856; and

WHEREAS, Andrew S. Holt, C.M.E., of Suburban Consulting Engineers recommends the release of the remaining cash deposit in the amount of \$1,179.89, along with any additional accrued interest.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the Municipal Treasurer is hereby authorized to issue a check to Pristine Properties, Inc. for the remaining cash performance bond in the amount of \$1,179.89 plus accrued interest to date of closure.

Resolution 140-2012 was moved on a motion made by Jewell, seconded by McDonald and adopted.

Ayes: 7, Nays: 0
Motion Carried

Resolution 141-2012 Agreement with Cinelli Iron and Metal Co, Inc. For Recycling of Scrap Metal

Manager Blanchard stated that the only logistical problem is getting the word out in time. She stated we could add the information to the Borough website, send out an email blast and do a press release. It will be included on the recycling calendar for 2013. The collection of scrap metal would be one Saturday a month from 7:00am to 3:30 pm.

RESOLUTION # 141 -2012

**RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT
WITH CINELLI IRON AND METAL CO., INC. FOR RECYCLING OF
SCRAP METAL**

WHEREAS, the Borough of Washington received a proposal for scrap metal recycling services from Cinelli Iron and Metal Co., Inc. (“Cinelli”); and

WHEREAS, pursuant to the proposal, Cinelli will provide a container for the collection of scrap metal and pay the Borough for scrap metal collected at current market prices, less \$60.00 per gross ton (2240 lbs); and

WHEREAS, the only charge to the Borough will be for Cinelli trucking costs of \$300.00 to send a rolloff with a replacement container and return to Seacaucus to weigh the full container; and

WHEREAS, the proposal will enable the Town to offer scrap metal recycling to its residents; and

WHEREAS, the value of services involved is below the bid threshold.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, Warren County, that the Mayor and Clerk are hereby authorized to execute a contract with Cinelli Iron and Metal Co., Inc. for scrap metal recycling in the form attached hereto.

Resolution 141-2012 was moved on a motion made by Boyle, seconded by Jewell and adopted.

Ayes: 7, Nays: 0
Motion Carried

Resolution 142-2012 Tax Certificate Redemption and Resolution 144-2012 Tax Certificate Redemption

RESOLUTION #142-2012

A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE

As per N.J.S.A.54:5

KNOW ALL PERSONS BY THESE PRESENTS, THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on September 16, 2010 to US Bank Cust CCTS Capital, LLC, TLGS; 2 Liberty Place, 50 South 16th Street Ste 1950, Philadelphia, PA 19102, in the amount of \$1,682.12 for taxes or other municipal liens assessed for the year 2009 in the name of Arce, Ricardo, as supposed owners, and in said assessment and sale were described as 41 Lenape Trail, Block 101 Lot 13.24, which sale was evidenced by Certificate #10-00038; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 9-18-12 and before the right to redeem was cut off, as provided by law, Wells Fargo for Arce, claiming to have an interest in said

lands, did redeem said lands claimed by US Bank Cust CCTS Capital, LLC, by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$21,375.11, which is the amount necessary to redeem Tax Sale Certificate #10-00038.

NOW THEREFORE BE IT RESOLVED, on this 2nd day of October, 2012 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to US Bank Cust CCTS Capital, LLC, TLGS; 2 Liberty Place, 50 South 16th Street Ste 1950, Philadelphia, PA 19102 in the amount of **\$26,575.11 (Certificate redemption amount \$21,375.11 + \$5,200 premium)**.

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 101 Lot 13.24 from the tax office records.

RESOLUTION # 144-2012

A RESOLUTION FOR REDEMPTION OF TAX CERTIFICATE

As per N.J.S.A.54:5

KNOW ALL PERSONS BY THESE PRESENTS THAT, WHEREAS, lands in the taxing district of Washington Borough, County of Warren, State of New Jersey, were sold on September 16, 2010 to FNA Jersey Lien Services, LLC, PO Box 1030, Brick, NJ 08723, in the amount of \$15,118.94 for taxes or other municipal liens assessed for the year 2009 in the name of Open Arms Preschool & Childcare, LLC (now Wells Fargo Bank, NA), as supposed owners, and in said assessment and sale were described as 189 Belvidere Avenue, Block 20.03 Lot 1.02, which sale was evidenced by Certificate #10-00013; and

WHEREAS, I, Kay F. Stasyshan, the Collector of Taxes of said taxing district of the Borough of Washington, do certify that on 9-20-12 and before the right to redeem was cut off, as provided by law, Wells Fargo claiming to have an interest in said lands, did redeem said lands claimed by FNA Jersey Lien Services, LLC by paying the Collector of Taxes of said taxing district of Washington Borough the amount of \$61,278.51, which is the amount necessary to redeem Tax Sale Certificate #10-00013.

NOW THEREFORE BE IT RESOLVED, on this 2nd day of October, 2012 by the Mayor and Council of the Borough of Washington, County of Warren to authorize the Treasurer to issue a check payable to FNA Jersey Lien Services, LLC, PO Box 1030, Brick, NJ 08723, in the amount of **\$65,278.51** (this amount consists of \$61,278.51 Certificate Amount redeemed + \$4,000.00 Premium)

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to cancel this lien on Block 20.03 Lot 1.02 from the tax office records.

Resolution 142-2012 and 144-2012 were moved on a motion made by Higgins seconded by Jewell and adopted.

Ayes: 7, Nays: 0
Motion Carried

Resolution 143-2012 Escrow Release – Apple Mountain Associates

RESOLUTION #143-2012

**A RESOLUTION AUTHORIZING THE RELEASE OF THE REMAINING
BALANCE IN THE DEVELOPER’S ESCROW ACCOUNT FOR J. P. VAN
CLEEF - MIDTOWN HELD IN TRUST BY THE BOROUGH OF
WASHINGTON**

WHEREAS, Jack Van Cleef, of J.P. VanCleef-Midtown, has requested the release of the balance remaining in their escrow account #7200020900; and

WHEREAS, Andrew S. Holt, C.M.E., of Suburban Consulting Engineers recommends the release of the remaining balance of \$33.95, along with any additional accrued interest;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the Municipal Treasurer is hereby authorized to issue a check to J.P. Van Cleef-Midtown, for the remaining balance in their account plus accrued interest to date of closure.

Resolution 143-2012 was moved on a motion made by Higgins, seconded by Jewell and adopted.

Ayes: 7, Nays: 0
Motion Carried

Resolution 145-2012 Cancel Taxes due to Veteran Exemption

RESOLUTION # 145-2012

**A RESOLUTION TO CANCEL 2012 TAXES
DUE TO VETERAN EXEMPT STATUS**

WHEREAS, the Tax Collector has received an approved application for a 100% Permanent and Total Disabled Veteran from the Tax Assessor for Block 44 Lot 18; located at 122 Myrtle Avenue and in the name of Orlando, Corey & Shelby; and

WHEREAS, the Tax Assessor has advised the Tax Collector that the application for the exemption was received from Corey Orlando and approved with an effective date of September 18, 2012; and

WHEREAS, the tax exemption does not show in the 2012 Tax Duplicate and will be in effect in the 2013 Tax Duplicate.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the Tax Collector is authorized to cancel the 2012 Real Estate Property Taxes from September 19, 2012 to December 31, 2012 due to the exempt status.

Resolution 145-2012 was moved on a motion made by Higgins, seconded by Valentine and adopted.

Ayes: 6, Nays: 0
Abstain: (1) Boyle
Motion Carried

Resolution 146-2012 Halloween Curfew/Observance

RESOLUTION # 146-2012

**A RESOLUTION SUGGESTING A HALLOWEEN CURFEW AND
ESTABLISHING OBSERVANCE OF TRICK OR TREAT WITHIN THE
BOROUGH OF WASHINGTON, COUNTY OF WARREN, STATE OF NJ.**

WHEREAS, Halloween Night and several nights before and after have historically been nights when acts of criminal mischief and vandalism have increased throughout the municipality; and

WHEREAS, the Borough of Washington desires to take some action to help reduce the likelihood of such incidents establishing a suggested curfew to assist parents and lawful guardians of minor children; and

WHEREAS, said curfew is viewed as an important part of maintaining the peace and order of the community and all persons are strongly urged to cooperate with the Washington Township Police Department abiding by the curfew. The Mayor and Council suggest that this curfew be imposed on all minors in their care and custody; and

WHEREAS, the door to door solicitation of treats is a tradition enjoyed by many as well as an annoyance and inconvenience to others and, therefore needs to be regulated to provide for the safety, health and welfare of all persons within the community.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey agrees that there is hereby established a suggested curfew for all persons seventeen (17) years of age or younger of 9:00 p.m. from Monday, October 29, 2012 up to and including Wednesday, October 31, 2012. Curfew shall be extended for school - sponsored events to one (1) hour after the conclusion of the event.

BE IT FURTHER RESOLVED, that Trick or Treat shall be observed with the Borough of Washington on Wednesday, October 31, 2012 from 4:00 p.m. to 7:00 p.m.

Resolution 146-2012 was moved on a motion made by Higgins, seconded by Valentine and adopted.

Ayes: 7, Nays: 0
Motion Carried

Resolution 149-2012 Escrow Release – Carl P. Nelson

RESOLUTION #149-2012

**A RESOLUTION AUTHORIZING THE RELEASE OF THE REMAINING
BALANCE IN THE DEVELOPER’S ESCROW STREET OPENING ACCOUNT
FOR
CAROL P. NELSON HELD IN TRUST BY THE BOROUGH OF WASHINGTON**

WHEREAS, Carol P. Nelson, 145 Berger Road, Easton, PA 18042-9545 has requested the release of the cash bond posted from the Street Opening account #7200020864; and

WHEREAS, Andrew S. Holt, C.M.E., of Suburban Consulting Engineers recommends the release of the cash bond in the amount of \$1,000.00;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey that the Municipal Treasurer is hereby authorized to issue a check to Carol P. Nelson for the cash bond from the Street Opening account in the amount of \$1,000.00.

Resolution 149-2012 was moved on a motion made by Higgins, seconded by Jewell and adopted.

Ayes: 7, Nays: 0
Motion Carried

VOUCHERS:

Mayor McDonald entertained a motion to approve the vouchers and claims in the amount of \$625,493.60

Councilman Jewell raised a question on page 1 in regards to Andy Inc. for Tree Stump Removals. Manager Blanchard stated that these are Shade Trees so they are the town's responsibility. Councilwoman Gleba asked when the power company cuts down a tree, whose responsible for the removal of the stump? Manager Blanchard stated that JCP&L may possibly work something out with the homeowner but she will have an answer for the next meeting. Councilwoman Gleba also inquired about all the general bond payments. Manager Blanchard responded that those payments came from the capital account associated with those bonds. Councilwoman Gleba also asked if the Recreation Commission was allowed to make donations. Manager Blanchard answered that they are allowed and also stated that even Borough Council has made donations in the past.

Motion made by Higgins, seconded by Jewell and approved.

Roll Call: Gleba, Torres, McDonald, Higgins, Boyle, Valentine, Jewell

Ayes: 7, Nays: 0
Abstain: Higgins – Fire Dept.
Jewell – Fire and EMS
Gleba – Finelli Consulting Engineers

RECAP:

The Borough Manager will reach out to the Township Administrator to amend the Shared Service Contract. Manager Blanchard will make sure the Tax Report is updated for the next meeting. Manager Blanchard will also work on a press release to notify residents of the Cinelli contract for metal pick up at the DPW Garage. She will find out how much

aid we have received in the past few years. Manager Blanchard will get in touch with the Risk Manager on workman's compensation payments. Finally, Manager Blanchard will find out who is responsible for the tree stumps when JCP&L cuts them down.

COUNCIL REMARKS:

Councilman Boyle noted that he did get a response from the Boro of Hampton and they are not going to move forward with the garbage collection proposal. Thanks to Councilman Higgins on his hard work and dedication to Resolution 141-2012 which pertains to the agreement with Cinelli Iron and Metal Co. for recycling of scrap metal.

Councilman Jewell encouraged everyone to go out and have fun at the Borough Festival.

Councilman Higgins stated that some of the caution lights in the crosswalk are out. Manager Blanchard stated there are new ones on order free of charge. Councilman Higgins also asked if our disposal contract was up at the end of this year. Manager Blanchard replied that it is up at the end of 2013.

Councilman Torres wants all residents to know that there has been a wave of vandalism and to be on the lookout. Any citizens who see anything suspicious should call the police. Councilman Torres also stated that the Borough of Washington has an official flag and he would like to look into having that flag erected outside in front of Borough Hall.

Councilwoman Gleba also encouraged residents to come out to the BID Festival. Councilwoman Gleba stated that the Hometown Holiday and Santa's Arrival is scheduled for November 30th and December 1st. They are in need of volunteers to help out. Councilwoman Gleba reminded everyone that the Recreation Commission is holding their 1st Annual 5K on the 13th. She also stated that she has noticed a lack of police presence downtown. Manager Blanchard stated that she will give a call to the police chief regarding this matter.

Mayor McDonald also stated for everyone to enjoy themselves at the BID Festival in the Borough.

EXECUTIVE SESSION:

Resolution 150-2012

Motion made by Gleba, seconded by Torres for the purpose to discuss performance evaluations and not to exceed five minutes.

Ayes: 7, Nays: 0
Motion Carried

Hearing no further business motion made by Higgins, seconded by Gleba to adjourn the meeting at 8:45 p.m.

Mayor Scott McDonald

Kristine Blanchard, RMC Borough Clerk